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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/024,679 Confirmation No. 2932
Applicants : Alfred E. Keller
Filed : December 18, 2001
For : Short Contact Time Catalytic Partial Oxidation Process for Recovering Sulfur
From An H₂S-Containing Gas Stream

TC/A.U. : 1754
Examiner : Wayne C. Langel

OFFICIAL

Customer No.: 35181
Atty. Dkt. No.: 1856-09301
Date: July 16, 2004

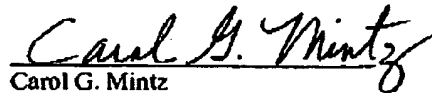
MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION DATED APRIL 16, 2004

Sir:

In response to the Office Action of April 16, 2004, Applicants submit the three (3) enclosed Terminal Disclaimers. Applicants respectfully request reconsideration of this application in light of the submission of these Terminal Disclaimers. This is believed to be a full and complete response to each and every ground of rejection and objection raised in the Office Action. If Applicants have incompletely addressed any item, an opportunity to supplement this Response is respectfully requested. If a telephone conference would be helpful in advancing prosecution of this case, the Examiner is invited to telephone the undersigned representative. Should any fees have been inadvertently omitted, or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Deposit Account Number 03-2769 of Conley Rose, P.C., Houston, Texas, and consider this a petition for any necessary extension of time.

Respectfully submitted,



Carol G. Mintz
PTO Reg. No. 38,561
Conley Rose, P.C.
P.O. Box 3267
Houston, Texas 77253-3267
Tel 713-238-8000
Fax 713-238-8008
AGENT FOR APPLICANT

(MODIFIED) PTO/SB/26 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

1856-09301

In re Application of: Alfred E. KELLER

Application No. 10/024,679

Filed: December 18, 2001

For: Short Contact Time Catalytic Partial Oxidation Process for Recovering Sulfur From An H₂S-Containing Gas Stream

The owner, ConocoPhillips Company, of 100 percent interest in the instant application disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,579,510. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2. ☒ The undersigned is an attorney/agent of record.

DATE: July 16, 2004

SIGNATURE OF AGENT

Carol G. Mintz

Reg. No. 38,561

CONLEY ROSE, P.C.

P.O. Box 3267

Houston, Texas 77253-3267

Phone: (713) 238-8000

Fax: (713) 238-8008

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Commissioner for Patents,

PAGE 5/11 * RCVD AT 7/16/2004 11:13:14 AM [Eastern Daylight Time] * SVR:USPTO-EFAXF-114 * DNS:8729306 * CSID:713 238 8008 * DURATION (mm:ss):04:30

(MODIFIED) PTO/SB/25 (08-03)

Approved for use through 07-31-2006 OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**Docket Number (Optional)
1856-09301

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Filed: December 18, 2001

For: Short Contact Time Catalytic Partial Oxidation Process for Recovering Sulfur From An H₂S-Containing Gas Stream

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DATE: July 16, 2004Carol G. Mintz

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PAGE 611 * RCVD AT 7/16/2004 11:13:14 AM [Eastern Daylight Time] * SVR:USPTO-EFAXF-1/4 * DNIS:8729306 * CSID:713 238 8008 * DURATION (mm:ss):04:30

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